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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,082	10/10/2001	Katsuhiko Ishii	110671	4514

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Oliff & Berridge  
PO Box 19928  
Alexandria, VA 22320

EXAMINER

CHERUBIN, YVESTE GILBERTE

ART UNIT	PAPER NUMBER
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3713

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DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/937,082

Applicant(s)

ISHII, KATSUHIRO

Examiner

Yveste G. Cherubin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-17, 19-26 is/are rejected.
- 7) ☒ Claim(s) 9, 18 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is in response to the US Application No. 09/937,082 filed October 10, 2001. It carries priority from Japanese Application No. 2000-15228 filed January 25, 2000. Claims 1-27 are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 5, 8, 10, 14, 17, 19, 23, 26 are rejected under 35 U.S.C. 102(a) as being anticipated by Myhrvold et al. (US Patent No. 5,867,166).

As per claims 1, 10, 19, Myhrvold discloses a method and system for generating images. Myhrvold discloses that intermediate buffer drawing means which temporarily draws an image of a geometry-processed object in an intermediate buffer in place of drawing the image in a frame buffer, 62:14-22 and frame buffer drawing means for drawing the image of the geometry-processed object drawn in the intermediate buffer into the frame buffer, 62:14-22, 12:56-61. As shown, Myhrvold discloses the use of two buffers to perform image generation. The images are passed to a compositing buffer which has two buffers. One (intermediate buffer) is used for compositing into and one (frame buffer) used for generating the video data for display. With respect to claims 5, 14, 23, Myhrvold discloses performing image processing before the image drawn in the intermediate buffer is drawn in the frame buffer 15:17-22. With respect to claims 8,

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17, 26 Myhrvold discloses drawing the image of the object in the intermediate buffer for each frame, 47:53-60.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4, 6-7, 11-13, 15-16, 20-22, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myhrvold et al. (US Patent No. 5,867,166) in view of Goden et al. (US Patent No. 5,830,066).

With respect to claims 2, 11, 20, Myhrvold discloses the claimed invention as substantially as disclosed above. However, Myhrvold fails to disclose the image object drawn in the intermediate buffer being texture mapped. Goden discloses an image processing device in which the image object is texture mapped, 2:20-28, 66-67, 3:1-13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the texture mapping feature as taught by Goden into the Myhrvold type system in order to display the images at a uniform density therefore providing to user the perception of continuous motion. With respect to claims 3, 12, 21, Myhrvold discloses the frame buffer drawing means performing hidden surface removal between the primitive surfaces on the depth values of the respective primitive surfaces, 63:1-4. With respect to claims 4, 13, 22, Myhrvold discloses texture mapping of images over the

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plurality of primitive surfaces different from one another, 10:2-12. With respect to claims 6-7, 15-16, 24-25, Goden discloses an image processing device which comprises synthesizing means, 11:33-47.

***Allowable Subject Matter***

4. Claims 9, 18, 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. US Patent No. 5,280,568 to Obata which teaches method and apparatus for drawing a surface model by assigning a drawing priority to each primitive surface model which provides a portion of the surface model.
  - b. US Patent 5,630,043 to Uhlin which teaches animated texture map apparatus and method for 3-D image displays.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (703) 306-3027. The examiner can normally be reached on 9:30 - 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T. Walberg can be reached on (703) 308-1327. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ygc



**Teresa Walberg**  
Supervisory Patent Examiner  
Group 3700